

N.B. FOR CLERK'S USE ONLY

JUDGMENT ENTERED ON DOCKET October 17, 1983  
 PURSUANT TO MASS.R.CIV.P.58(a) AND NOTICE SENT  
 TO PARTIES PURSUANT TO MASS.R.CIV.P.77(d)  
 AS FOLLOWS:

Re 15

\* \* \* \* \*

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT  
 OF THE TRIAL COURT  
 CIVIL ACTION

No. 54258

MICHAEL J. FLYNN

PLAINTIFF(S)

v.

CHURCH OF SCIENTOLOGY OF DEFENDANT(S)  
CALIFORNIA, INC., et al

JUDGMENT OF DISMISSAL  
 (OTHER THAN WHEN ISSUES DECIDED BY COURT OR JURY)

THE COMPLAINT OF PLAINTIFF(S) MICHAEL J. FLYNN

IS DISMISSED AS TO DEFENDANT(S) CHURCH OF SCIENTOLOGY OF CALIFORNIA, INC.  
CHURCH OF SCIENTOLOGY OF BOSTON, INC., KEVIN TIGHE, ROBERT ADEN  
JOHNSON & TIGHE WITH PREJUDICE - ~~WITHOUT~~ WITHOUT COSTS.

DATED AT BOSTON, MASSACHUSETTS, THIS 12TH DAY OF OCTOBER 19 83.

NOTICE SENT:

J-17-83  
 G.B.&F  
 G.  
 L.S.  
 D.B.  
 & ASSOC.  
 M.B.  
 & S.  
 W.R.

MICHAEL JOSEPH DONOVAN,  
 CLERK OF COURT

By:

  
 Michael Joseph Donovan  
 ASSISTANT CLERK

G

\*Strike inapplicable words

rb.

Form Civ.P.25A(2nd Rev) 10-78 1,000

(2)

Q

*WF*  
SUFFOLK, SS.

## COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT DEPARTMENT  
C.A. No. 54258MICHAEL J. FLYNN  
Plaintiff

VS.

CHURCH OF SCIENTOLOGY OF  
CALIFORNIA, INC., et al  
Defendant

## PLAINTIFF'S MOTION TO DISMISS

SUFFOLK ss. SUPERIOR CIVIL COURT  
DEPARTMENT OF THE TRIAL COURT

Oct. 12 1983 B

ALLOWED BY THE COURT.

(.....) 11

ATTEST:

*John A. Banash*

Plaintiff moves to dismiss without prejudice pursuant to Clerk  
Mass.R. Civ.P. #41(a)(2).

As grounds therefor, plaintiff states that no counterclaims  
have been filed, no discovery has taken place to date and there is  
no prejudice to defendants in allowing this dismissal.

*Sept 29, 1983*

*Motion set down for hearing  
on Wed, Oct 12, 1983 at*

*9:30, room 343*

*By the Court  
Parole J.*

RECEIVED:  
30-83  
6. ASSOC.  
RM.B.  
J.B.  
G.  
L.S.  
D.B.

*John A. Banash  
John DeLatt*

by his attorneys,  
HOLLINGSWORTH & ASSOCIATES

by *David M. Banash*  
David M. Banash  
10 Union Wharf  
Boston, Massachusetts 02109  
(617) 227-5100

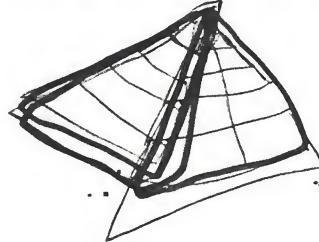
Dated: September 29, 1983

(3)

PL

## ESSENCE OF A DRAFT ORDER

Even if it is assumed for the purposes of Mass.R.Civ.P. 56 that it has been established on this record that the defendants are a religion or a religious organization and the statements (and even the acts) which are claimed to be religious relate to religious beliefs and practices of the defendant, there still remains a "triable" issue. The plaintiffs have caused to appear on the record that certain statements, acts and practices of the defendants had a secular purpose or were effected entirely on a secular basis, and as such, have created a jury issue in this regard.



Report it -

- Letter certifying -  
- <sup>5</sup> decided interlocutory

appel (Review) -

- Exact wording -  
Essence + Draft  
he has a little

Not Report it

- Guidelines -  
change of  
24

- P. Order Benefits  
vs. Netural  
in  
Felic -

- if not necessary -